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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit: 1634
)	
North)	Examiner: Pohnert, Steven
)	
Serial No.: 10/527,831)	Confirmation No.: 1014
)	
Filed: January 9, 2006)	<u>AMENDMENT AND RESPONSE AFTER FINAL</u>
)	
Atty. File No.: 5517-19)	
)	Electronically Filed
For: ACTN3 GENOTYPE)	
SCREEN FOR ATHLETIC)	
PERFORMANCE)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

This Amendment and Response After Final is being filed in response to the final Office Action dated November 28, 2008. This communication is being filed within the three month shortened statutory period and therefore, no fees are believed to be due in connection with this amendment and response. However, if any fees are due, please debit deposit account number 19-1970.

Amendments to the claims begin on page 2.

Remarks begin on page 5.